

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

BALCH & BINGHAM LLP,

Plaintiff,

v.

CENTERS FOR MEDICARE AND
MEDICAID SERVICES,

Defendant.

CIVIL ACTION NO.

2:14-cv-00028-WMA

DEFENDANT'S MOTION FOR A STAY OF PROCEEDINGS

COMES NOW Defendant Centers for Medicare and Medicaid Services (CMS), by and through its counsel, Joyce White Vance, United States Attorney for the Northern District of Alabama, and, pursuant to 5 U.S.C. § 552(a)(6)(C)(i) and *Open America v. Watergate Special Prosecution Force*, 547 F.2d 605 (D.C. Cir. 1976), moves this Court for a stay of proceedings for a three (3) month period to permit Defendant to finish processing Plaintiff's two Freedom of Information Act (FOIA) requests or in the alternative, permit Defendant to release the responsive documents on a rolling basis.

As a basis for this motion for stay, the Defendant states that exceptional circumstances exist and CMS is exercising due diligence in responding to the pending FOIA requests.

This motion is supported by the pleadings herein, the attached five exhibits, and a separately-filed supporting memorandum of law.

Respectfully submitted,

OF COUNSEL:

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General Counsel

Dana Petti
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Melinda McKinnon
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Services

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s/ Edward Q. Ragland
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CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2014, I electronically filed the foregoing with the attached five exhibits with the Clerk of the Court using the CM/ECF system which will send notice of the above to Plaintiff's attorneys of record as follows: M. Talmadge Simpson and Richard E. Glaze, Jr.

/s/Edward Q. Ragland

Edward Q. Ragland

Assistant United States Attorney